

Atty. Dkt. No. 071949-7002

DFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Buechler et al.

Title: METHODS AND
COMPOSITIONS FOR
MEASURING BIOLOGICALLY
ACTIVE NATRIURETIC
PEPTIDES AND FOR
IMPROVING THEIR
THERAPEUTIC POTENTIAL

Appl. No.: 10/645,874

Filing Date: 8/20/2003

Examiner: Unassigned

Art Unit: 1743

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.

Nancy V. McElrath
(Printed Name)
Nancy V. McElrath
(Signature)
1-17-06
(Date of Deposit)

Mail Stop Amendment - IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR

§1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

The documents listed on the attached PTO/SB/08 were cited during the prosecution of corresponding European Application No. 02734211.2 (Our Docket No. 071949-6505). A copy of the European Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language counterpart of the foreign-language document has not been provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even

entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

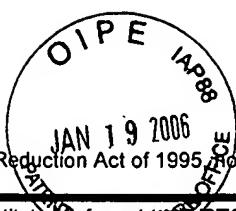
Respectfully submitted,

Date 01/21/2006

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MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for Form 14093/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/645,874
Filing Date	8/20/2003
First Named Inventor	Kenneth F. Buechler
Group Art Unit	1743
Examiner Name	Unassigned
Attorney Docket Number	071949-7002

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

U.S. PATENT APPLICATION DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Application Document		Name of Patentee or Applicant of Cited Document	Filing Date of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Serial Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
A1	WO	02/083913			Biosite Diagnostics, Inc.	10-24-2002		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
A2		CASSIN et al., <i>È realizzabile una strategia operativa più efficace per la gestione in urgenza del paziente con dolore toracico acuto?</i> , Ital Heart J Suppl, Feb. 2000, pp. 186-201, Vol. 1	
A3		FUTTERMAN et al., <i>Novel Markers in the Acute Coronary Syndrome: BNP, IL-6, PAPP-A</i> , American Journal of Critical Care, March 2002, pp. 168-172, Vol. 11, No. 2	
A4		HUNT et al., <i>Immunoreactive amino-terminal pro-brain natriuretic peptide (NT-PROBNP): a new marker of cardiac impairment</i> , Clinical Endocrinology, 1997, pp. 287-296, Vol. 47	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number 10/645,874 Filing Date 8/20/2003 First Named Inventor Kenneth F. Buechler Group Art Unit 1743 Examiner Name Unassigned	
Sheet	2	of	2	Attorney Docket Number 071949-7002	

NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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